

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ROBERT E. CARTER,

Plaintiff,

ORDER

v.

23-cv-42-wmc

U.S. DEPARTMENT OF JUSTICE,
TIMOTHY M. O'SHEA, DANIEL GRABER,
DANIEL WILLIAMS, NANCY KERR,
LINDA FLACH, ISA SMALL, and
LE PHILLIPS MEMORAL PUBLIC LIBRARY,

Defendants.

On January 17, 2023, plaintiff Robert Carter filed an emergency motion for preliminary injunctive relief and temporary restraining order “to reinstate the approval granted to plaintiff on January 6, 2023, to use Room 306 at the L.E. Phillips Memorial Library for a national press conference to be held on January 19, 2023, from 11:00 a.m. to 1:00 p.m.” (Dkt. #2.) Plaintiff’s motion for a temporary restraining order is DENIED because (1) the time of that conference passed before this court had an opportunity to even consider the merits of the TRO motion; (2) no proof of service on any defendant was provided; and (3) Carter’s requests for relief may implicate accepted, albeit narrow, First Amendment limitations with respect to pending criminal charges against him, especially since he is representing himself. However, because plaintiff has raised a legitimate question under the First and Fourteenth Amendments, the court will expedite consideration of his remaining motion for preliminary injunction. Specifically, IT IS ORDERED that defendants may have fourteen (14) days from Carter’s filing proof of service to file a brief

in opposition to that motion. Following receipt of that opposition, the court will determine whether a hearing is necessary.

Entered this 20th day of January, 2023.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge